



MEMORANDUM

PUBLIC WORKS - DEVELOPMENT SERVICES

DATE: November 3, 2015

TO: Honorable Chair and Members of the Board of Supervisors

FROM: Arlan M. Colton, Planning Director 

SUBJECT: Co9-02-06 1601 Ina, LLC – Ina Road #2 Rezoning; November 10, 2015 Board of Supervisors' Agenda Item 33

This memo serves as an update of staff's recommendation of September 28, 2015 for the above-referenced case for which a modification of rezoning conditions is requested. First, since the last staff report, staff has received five letters of opposition, one letter of support, and two letters of conditional support.

Secondly, staff still recommends **APPROVAL** of waiver of existing rezoning condition #7, now replacing it with a condition which requires a minimum of chip seal pavement of the common driveway within the rezoning site. This is a commonly recommended condition by the Transportation Department for rezonings in which multiple unsubdivided lots with a single access drive are proposed. It serves to reduce dust generated by the additional residential lots granted.

The revised conditions also include the recommendation for a condition requiring adherence to the sketch plan for three lots as presented, but it is now numbered condition #14 as opposed to #12. This condition was revised to reflect the change in hearing date.

Condition #13 is a pre-existing condition that was inadvertently omitted from the original rezoning ordinance and thus from the list of conditions in the staff report dated September 28, 2015. The condition is reflected in the Board of Supervisor's 6-17-03 Minutes of the rezoning approval and requires that the rezoning site not be split from the original property (it was originally part of the office complex property now partially developed to the north) until legal and physical access is obtained. Despite not being listed in the rezoning ordinance, the condition was, in fact, met prior to the Certificate of Compliance issuance for the rezoning. Regardless of the outcome of this request, condition #13 will be included in a resolution that will be forwarded to the Board for adoption.

Staff recommends **APPROVAL** of waiver of existing rezoning condition #7 as requested, replacement of condition #7 with a new condition, and addition of condition #14 as follows:

1. Submittal of a development plan if determined necessary by the appropriate County agencies.
2. Recording of a covenant holding Pima County harmless in the event of flooding.
3. Recording of the necessary development related covenants as determined appropriate by the various County agencies.
4. Provision of development related assurances as required by the appropriate agencies.

5. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Development Services Department of Transportation, Document Services.
6. There shall be no further lot splitting or subdividing without the written approval of the Board of Supervisors.
7. Transportation condition:
~~Development shall be limited to one residential lot which may be accessed through the parking area of the office complex to the north. Two additional residential lots may be created and developed when physical and legal access can be provided other than through the office complex parking lot.~~
The common driveway/roadway shall be paved (chip sealed) within six (6) months of the issuance of building permits.
8. Wastewater Management condition:
The property owner shall connect to the public sewer system at the location and in the manner specified by Wastewater Management at the time of review of the tentative plat, development plan or request for building permit.
9. Prior to ground modifying activities, an on-the-ground archaeological and historic sites survey shall be conducted on the subject property. A cultural resources mitigation plan for any identified archaeological and historic sites on the subject property shall be submitted at the time of, or prior to, the submittal of any tentative plan or development plan. All work shall be conducted by an archaeologist permitted by the Arizona State Museum, or a registered architect, as appropriate. Following rezoning approval, any subsequent development requiring a Type II grading permit will be reviewed for compliance with Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code.
10. Utility services to individual residences shall be underground.
11. Maximum building heights shall be limited to 18 feet and one story.
12. Uses shall be limited to single-family residences and related accessory uses.
13. The subject 2.76 acres shall not be split from the original parcel until legal and physical access is obtained.
14. Adherence to the revised sketch plan as presented at the November 10, 2015 public hearing.